

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Commodity Futures Trading Commission,)
Plaintiff,)
v.) Case No. 20-3758
Long Leaf Trading Group, Inc., James A.) Hon. Thomas A. Durkin
Donelson, Timothy M. Evans, Jeremy S.)
Ruth, and Andrew D. Nelson,)
Defendants.)

**DECLARATION OF SERVICE OF DEFAULT PAPERS ON
DEFENDANT TIMOTHY M. EVANS**

The undersigned, Ashley J. Burden, as counsel for Plaintiff Commodity Futures Trading Commission (“CFTC”), hereby declare as follows, pursuant to 28 U.S.C. § 1746:

1. On August 11, 2022, Plaintiff CFTC filed a motion for entry of default by the Clerk against Defendant Timothy M. Evans in the above-captioned matter, pursuant to Federal Rule of Civil Procedure 55(a). (Doc. 108.)

2. The Court set a telephonic hearing for August 30, 2022, and ordered the CFTC to serve the default papers upon Defendant Evans in the same manner as the Complaint, i.e., via email, and UPS to Evans’s last-known address in Tulum, Mexico. (Doc. 109; *see also* Doc. 90 (granting the CFTC’s motion for alternative service on Evans).)

3. On August 11, 2022, the undersigned emailed electronic copies of the default papers to Evans. (*See* Ex. A, Emails from A. Burden to T. Evans.) They did not “bound back,” and appear to have been delivered.

4. The undersigned also caused the default papers to be sent to Evans via UPS to his last-known address. Delivery is currently scheduled for August 18. (Ex. B, UPS Tracking Receipts.)
5. The CFTC has not received any response from Defendant Evans.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

/s/ Ashley J. Burden

Ashley J. Burden
Counsel for Plaintiff CFTC
Commodity Futures Trading Commission
Division of Enforcement
77 West Jackson Blvd.
Suite 800
Chicago, IL 60604
(312) 596-0700

Executed on this 16th day of August, 2022, in Winnetka, Illinois.

CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2022, I provided service to the persons listed below, and by the following means:

Via the Court's electronic CM/ECF system: Via email, pursuant to agreement, to:

Jim Falvey
Falvey Law Office
200 S. Wacker Dr., Ste. 3100
Chicago, IL 60606-5877
jimfalvey@yahoo.com

Jeremey S. Ruth
11220 Brista Way
Austin, TX 78726
jeremysruth@hotmail.com

Charles E. McElvenny
Law Office of Charles E. McElvenny
33 N. Dearborn St., Ste. 1000
Chicago, IL 60602

Pro se

Counsel to James A. Donelson and Long Leaf
Trading Group, Inc.¹

/s/ Ashley J. Burden

Ashley J. Burden
Commodity Futures Trading Commission
Division of Enforcement
77 West Jackson Blvd.
Suite 800
Chicago, IL 60604
(312) 596-0700
aburden@cftc.gov

¹ Mr. McElvenny is counsel to Defendant Donelson only, and not to Long Leaf Trading.